

1 Adopt 2 Cal. Code Regs. section 18531.62 to read:

2 **§ 18531.62. Elected State Officeholder Bank Accounts, Committees, and Reporting.**
3

4 (a) No earlier than the election date that a candidate is elected to elective state
5 office, each elected state officer may establish one segregated officerholder bank account
6 for expenses related to holding the office to which the officer was elected. [Decision
7 **point 1:** Any officeholder contributions received after election and before the
8 officeholder actually takes office apply to the calendar year limits applicable the first full
9 calendar year of the officeholder's term of office.]

10 (b) For purposes of Government Code section 85316(b), officeholder funds must
11 be held in a single bank account at a financial institution located in the State of California
12 which is separate from any campaign bank account established for election to office.

13 (c)(1) If \$1,000 or more is received by or deposited in an officeholder account in
14 a calendar year, the elected state officer shall establish a controlled committee for the
15 account by filing a statement of organization pursuant to Government Code section
16 84101.

17 (2) The elected state officer's last name, the office held and the year of the
18 candidate's election to office shall all be included in the name of the committee. In
19 addition, the words "Officeholder Account" shall be included as part of the committee
20 name. The statement of organization shall include the name and address of the financial
21 institution where the committee has established the officeholder account and the account
22 number.

23 (d) The committee shall file campaign statements and reports at the same time
24 and in the same places as any other controlled committee of the elected state officer
25 pursuant to chapters 4 and 5 of title 9 of the Government Code, except that Government
26 Code sections 85200 and 85201 do not apply.

27 (e)(1) Officeholder contributions may be used for the following purposes related
28 to holding the office to which the officer was elected: communicating with constituents,
29 attending and sponsoring community events, travel, charitable donations, legal and
30 accounting fees, and any other expenses related to holding the office to which the officer
31 was elected or related to the maintenance of the officeholder account.

(2) Officeholder contributions may not be used for contributions or transfers to any state or local committee or for any “election-related” activities as defined in Government Code section 82015(b)(2)(C).

[Decision point 2: (3) Officeholder funds [may/should] not be used to pay any administrative fines or civil judgments. Such payments [may/should] be made from a legal defense fund established pursuant to Government Code section 85304 or a campaign bank account established for the applicable future term of office.]

FINDING OF EMERGENCY

The Fair Political Practices Commission finds that an emergency exists and that the foregoing regulation is necessary for the immediate preservation of the public peace, health, safety or general welfare. A statement of the facts constituting such emergency is:

STATEMENT OF FACTS

In order to clarify issues relating to contributions made to an elective state officer after the date of his or her election, it is necessary that this regulation take effect on an emergency basis.

- 1
- 2
- 3
- 4